

Amendment No. 1 to HB2513

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 2546

House Bill No. 2513*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is amended by deleting the language "A person who was convicted of one of the following Class E felonies" and substituting instead the language "A person who was convicted of one of the following Class E or designated Class D felonies".

SECTION 2. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is further amended by deleting subdivision (iv) and substituting instead the following:

(iv) Section 39-14-105(a)(2) or (a)(3) – Theft (Class D or Class E felony);

SECTION 3. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is further amended by deleting subdivision (v) and substituting instead the following:

(v) Section 39-14-114(c) – Forgery (Class D or Class E felony);

SECTION 4. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is further amended by deleting subdivision (vi) and substituting instead the following:

(vi) Section 39-14-115 – Criminal simulation (Class D or Class E felony);

SECTION 5. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is further amended by deleting subdivision (ix) and substituting instead the following:

(ix) Section 39-14-118 – Fraudulent use of credit card or debit card (Class D or Class E felony);

SECTION 6. Tennessee Code Annotated, Section 40-32-101(g)(1)(A), is further amended by deleting subdivision (x) and substituting instead the following:

(x) Section 39-14-121 – Worthless checks (Class D or Class E felony);

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SECTION 7. Tennessee Code Annotated, Section 40-32-101(g)(2)(B), is amended by deleting the subdivision and substituting instead the following:

(B) At the time of the filing of the petition for expunction:

(i) If the conviction was a misdemeanor or Class E felony or a combination of misdemeanors and Class E felonies pursuant to subdivision (g)(1)(E), at least five (5) years have elapsed since the completion of the sentence imposed; or

(ii) If the conviction was a Class D felony or a combination of a Class D felony and any other eligible offense pursuant to subdivision (g)(1)(E), at least ten (10) years have elapsed since the completion of the sentence imposed;

SECTION 8. Tennessee Code Annotated, Section 40-32-101(k)(1)(C), is amended by deleting the subdivision and substituting instead the following:

(i) If the offenses were both misdemeanors or a Class E felony and a misdemeanor, at the time of the filing of the petition for expunction at least five (5) years have elapsed since the completion of the sentence imposed for the most recent offense; or

(ii) If one (1) of the offenses was a Class D felony, at the time of the filing of the petition for expunction at least ten (10) years have elapsed since the completion of the sentence imposed for the most recent offense; and

SECTION 9. This act shall take effect July 1, 2018, the public welfare requiring it.